## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE

CHRISTOPHER M. WEBB,	)
Plaintiff,	) ) )
v.	) No. 3:19-CV-406
KNOX COUNTY SHERIFF,	)
Defendant.	)

## MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation filed by United States Magistrate Judge, H. Bruce Guyton [Doc. 6]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b).

After a careful review of this matter, the Court is in complete agreement with the Magistrate Judge's recommendation that plaintiff's complaint fails to state a cause of action against the Knox County Sheriff, who will be dismissed as a defendant in this action. The Court also agrees that plaintiff's complaint plausibly states excessive force claims under § 1983 against defendants "Officer Larry" and other John Doe defendants. Thus, the case will proceed against "Officer Larry" and the John Doe defendants.

Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b). It is **ORDERED**, for the reasons stated in the Report and Recommendation, which the Court adopts and incorporates into its ruling that the Knox County Sheriff is **DISMISSED** as a defendant in this action.

It is further **ORDERED** that the case will proceed as to defendants "Officer Larry" and the John Doe Defendants.

The Clerk shall send plaintiff the appropriate service packets for the remaining defendants. Plaintiff shall have **sixty** (**60**) **days** to file an amended complaint identifying each defendant by name and place of employment. Plaintiff is advised that if he fails to timely comply with this order, this action may be dismissed for failure to prosecute and to follow the orders of this Court.

Further, plaintiff is **ORDERED** to immediately inform the court and the other parties or their counsel of record of any address changes in writing. Pursuant to Local Rule 83.13, it is the duty of a pro se party to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. E.D. Tenn. L.R. 83.13. Failure to provide a correct address to this court within fourteen (14) days of any change in address may result in the dismissal of this action.

Enter:

CHIEF UNITED STATES DISTRICT JUDGE